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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC.; a Colorado corporation;
 ORACLE AMERICA, INC.; a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,
 v.

RIMINI STREET, INC., a Nevada corporation;
 and SETH RAVIN, an individual,
 Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**MOTION TO SEAL PORTIONS OF
 ORACLE'S MOTION TO PERMIT
 LIMITED DISCOVERY REGARDING
 RIMINI'S COMPLIANCE WITH THE
 COURT'S PERMANENT
 INJUNCTION AND POLITO
 DECLARATION EXHIBITS 1, 2, 4, 9,
 11-13, 19-22, AND 26-27**

Pursuant to the Stipulated Protective Order governing confidentiality of documents entered by the Court on May 21, 2010, ECF No. 55 (“Protective Order”), and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (collectively “Oracle”) respectfully request that the Court order the Clerk of the Court to file under seal certain portions of Oracle’s Motion to Permit Limited Discovery Regarding Rimini’s Compliance with the Court’s Permanent Injunction (“Motion”) and Polito Declaration Exhibits 1, 2, 4, 9, 11-13, 19-22, and 26-27 (“Exhibits”). The portions of Oracle’s Motion and the Exhibits reflect information that Rimini Street, Inc. (“Rimini”) has designated “Confidential” or “Highly Confidential - Attorneys’ Eyes Only” under the Protective Order. A public, redacted version of Oracle’s Motion and Exhibits was filed on February 27, 2019, *see* ECF No. 1199, and unredacted versions will be filed under seal with the Court.

The Protective Order states, “Counsel for any Designating Party may designate any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ under the terms of this Protective Order *only if such counsel in good faith believes that such Discovery Material contains such information and is subject to protection under Federal Rule of Civil Procedure 26(c)*. The designation by any Designating Party of any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ shall constitute a representation that an attorney for the Designating Party reasonably believes there is a valid basis for such designation.” Protective Order ¶ 2 (emphasis supplied).

DOCUMENTS CONTAINING INFORMATION DESIGNATED BY RIMINI
OR A THIRD-PARTY AS CONFIDENTIAL OR HIGHLY CONFIDENTIAL –
ATTORNEYS’ EYES ONLY

Rimini has designated information in Oracle’s Motion and in the following documents as Confidential Information (“Confidential”) or ‘Highly Confidential Information – Attorneys’ Eyes Only (“HC”).

Ex.	Description	Designation
1	Excerpts of the November 18, 2011 deposition of Seth Ravin at 411:14-19.	HC by Rimini
2	Document produced by Rimini Street, Inc. Bates numbered RSI05947571	Confidential by Rimini
4	Excerpts of the May 21, 2009 deposition of Seth Ravin taken in the Oracle USA, Inc. v. SAP AG, Case No. 07-CV-1658 at 35:17-37:12; 41:13-18, 44:2-45:17; 110:2-111:15.	Confidential by Rimini
9	Excerpts of the deposition of the July 21, 2010 deposition of Seth Ravin taken in the Oracle USA, Inc. v. SAP AG, Case No. 07-CV-1658 at 325:8-16.	HC by Rimini
11	Excerpts of the July 21, 2011 deposition of Michael Davichick at 15:20-16:4, 16:21-23, 17:2-12 - Confidential	Confidential by Rimini
12	Excerpts of the deposition of Beth Lester held on Mar. 17, 2011 at 187:24-25.	HC by Rimini
13	Excerpts of the deposition of Krista Williams held on Oct. 5, 2011 at 7:11-8:7.	Confidential by Rimini
19	Oracle's letter to Rimini dated January 2, 2019	Confidential by Rimini
20	Rimini's letter to Oracle dated January 23, 2019	Confidential by Rimini
21	Oracle's letter to Rimini dated January 31, 2019	Confidential by Rimini
22	Rimini's letter to Oracle dated February 7, 2019	Confidential by Rimini
26	Oracle's Supplement Requests for Production to Defendant Rimini Street, Inc.	Confidential by Rimini
27	Oracle's Supplement Interrogatories to Defendant Rimini Street, Inc.	Confidential by Rimini

Oracle submits portions of the Motion and Exhibits containing such information under seal pursuant to the Protective Order based on Rimini's representation that it reasonably believes there is a valid basis under the Protective Order for its confidentiality designations. Because the information was designated by Rimini, Oracle is not in a position to explain why filing the redacted portions of the Motion and Exhibits publicly would cause Rimini harm.

Oracle has submitted all other portions of Oracle's Motion and Exhibits to the Court's public files, which allow public access to all materials except for the portions discussed

1 above. Accordingly, the request to seal is narrowly tailored. For the foregoing reasons,
2 Oracle respectfully requests that the Court grant leave to file under seal the documents
3 discussed above.

4 DATED: February 27, 2019

MORGAN, LEWIS & BOCKIUS LLP

6 By: /s/ John A. Polito

7 John A. Polito

8 Attorneys for Plaintiffs Oracle USA, Inc., Oracle
9 America, Inc. and Oracle International Corporation

CERTIFICATE OF SERVICE

I certify that on February 27, 2019, I electronically transmitted the foregoing **MOTION TO SEAL PORTIONS OF ORACLE’S MOTION TO PERMIT LIMITED DISCOVERY REGARDING RIMINI’S COMPLIANCE WITH THE COURT’S PERMANENT INJUNCTION AND POLITO DECLARATION EXHIBITS 1, 2, 4, 9, 11-13, 19-22, AND 26-27** to the Clerk’s Office using the Electronic Filing System pursuant to Special Order No. 109.

DATED: February 27, 2019

MORGAN, LEWIS & BOCKIUS LLP

By: /s/ John A. Polito

John A. Polito

Attorneys for Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle International Corporation

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UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

ORACLE USA, INC., a Colorado corporation;
 ORACLE AMERICA, INC., a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-PAL

**[PROPOSED] ORDER GRANTING
 ORACLE'S MOTION TO SEAL
 PORTIONS OF ORACLE'S MOTION
 TO PERMIT LIMITED DISCOVERY
 REGARDING RIMINI'S
 COMPLIANCE WITH THE COURT'S
 PERMANENT INJUNCTION AND
 POLITO DECLARATION EXHIBITS
 1, 2, 4, 9, 11-13, 19-22, AND 26-27**

[PROPOSED] ORDER

Pending before this Court is Plaintiffs Oracle USA, Inc., Oracle America, Inc. and Oracle International Corporation (together “Oracle”) Motion to Seal Portions of Oracle’s Motion to Permit Limited Discovery Regarding Rimini’s Compliance with the Court’s Permanent Injunction and Polito Declaration Exhibits 1, 2, 4, 9, 11-13, 19-22, and 26-27. *See* ECF No. 1199. Federal Rule of Civil Procedure 26(c) provides broad discretion for a trial court to permit sealing of court documents for, inter alia, the protection of “a trade secret or other confidential research, development, or commercial information.” Fed. R. Civ. P. 26(c). Having considered Oracle’s Motion to Seal and good cause existing:

IT IS HEREBY ORDERED THAT: Oracle’s Motion to Seal is GRANTED. The Clerk of the Court shall file under seal portions of the Oracle’s Motion to Permit Limited Discovery Regarding Rimini’s Compliance with the Court’s Permanent Injunction and Polito Declaration Exhibits 1, 2, 4, 9, 11-13, 19-22, and 26-27 under seal.

IT IS SO ORDERED.

DATED:

By: _____
Hon. Larry R. Hicks
United States District Judge